

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DATE: March 11, 2014

TIMOTHY B. DYK
United States Circuit Judge
(of the Federal Circuit, sitting by designation)
Judge Presiding

Court Administrator: Rosa L. Ferguson

Law Clerk: Sanjiv Laud

Court Reporter: Chris Bickham

STRAGENT, LLC, ET AL.

V

INTEL CORPORATION

**CIVIL ACTION NO: 6:11-CV-421
JURY TRIAL**

ATTORNEYS FOR PLAINTIFF

ATTORNEYS FOR DEFENDANTS

SEE SIGN-IN SHEETS ATTACHED TO MINUTES FILED 3.10.14

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 9:00 am

ADJOURN: 5:35 pm

TIME:	MINUTES:
9:00 am	Trial resumed. Jury seated in the courtroom.
	Court welcomed the Jury back.
	KEVIN ZILKA on the witness stand.
	Cross examination by Mr. Jones.
	Mr. Jones passed the witness. Redirect examination by Ms. Olin.
	Ms. Olin passed the witness. Court asked the Jury to pass up their questions. No questions from the Jury. Witness excused.
	Court addressed the parties regarding s
	Mr. Albritton called DR. HAROLD STONE to the witness stand. Witness sworn.
	Direct examination of Dr. Stone by Mr. Bumgardner.
10:30 AM	Court in recess until 10:45 am.
10:45 AM	Trial resumed. Jury seated in the courtroom.
	Direct examination of Dr. Stone continued. Mr. Bumgardner offered Plaintiff's Exhibit 251. Mr. Campbell objected.
	Court asked counsel to approach bench. After discussion at bench, with the title being changed from Intel's Infringing Processors to Intel's Alleged Infringing Processors, Plaintiff's Exhibit 251 admitted.

TIME:	MINUTES:
11:47 AM	Court recessed the Jury for lunch until 1:00 pm
	Jury not present in the courtroom.
	Court addressed the parties on the jury instructions and the informal conference after Court today in the conference room.
	Court addressed the parties regarding the objection to the instruction about obviousness on Claim 12. Court will not instruct unless there is evidence about obviousness on Claim 12, but will allow Intel to move to supplement Dr. Stark's expert report and limit supplement to things that are new as a result of new claim construction adopted last Thursday. Court would like motion and supplement report by 9 am tomorrow and will entertain Stragent's request to supplement its expert report by the following day at 9:00 am.
	Court inquired of Plaintiff as to rest of witnesses. Mr. Albritton outlined the plaintiff's remaining witnesses.
	Court inquired as to exhibits. Mr. Albritton responded. Mr. Jones responded.
	Court addressed the parties on network processors issue. Mr. Campbell indicated it was not a claim limitation. Court will address that later in connection with jury instructions.
	Mr. Jones addressed the Court and asked for clarification as to when to bring up objections. Court advised to bring up objection prior to Dr. Vellturo's testimony.
11:57 am	Court in recess for lunch.
1:00 pm	Trial resumed. Jury not present in the courtroom.
	Court addressed the parties. Mr. Campbell addressed the Court regarding testimony from Dr. Stone right before the break on equivalents and moved to strike testimony. Court will postpone ruling to have an opportunity to look at the testimony.
	Court asked for the Jury. Jury seated in the courtroom.
	DR. HAROLD STONE on the witness stand.
	Direct examination by Mr. Bumgardner continued.
	Mr. Bumgardner passed the witness. Cross examination by Mr. Campbell.
2:30 pm	Court in recess until 2:45 pm
2:48 pm	Trial resumed. Jury seated in the courtroom.
	Cross examination of Dr. Stone by Mr. Campbell continued.
	Mr. Campbell passed the witness. Redirect examination of Dr. Stone by Mr. Bumgardner.
	Mr. Bumgardner passed the witness. Court asked Jury to pass up questions. No questions from the Jury. Witness excused from the witness stand.
	Mr. Albritton called BYRON MILSTEAD by video deposition and indicated the time as follows: 25 minutes for the Plaintiff and 7 minutes for the Defendant. Video played for the Jury.
	Mr. Albritton called DR. CHRISTOPHER VELLTURO to the witness stand.
	Mr. Jones asked to approach the bench. Bench Conference held.
	Witness sworn by the Clerk.
	Mr. Jones addressed the Court on objections to PTX 50 and 51, and further PTX 52 – 55, 64; and Demonstratives 10 and 11. Mr. Jones objects to testimony about imputing running royalty, 3 rd category regarding damages as to running royalty; and further Intel's gross revenues. Court will allow a running objection and explained this procedure to the Jury.

TIME:	MINUTES:
	Direct examination of Dr. Vellturo by Mr. Albritton.
	Mr. Albritton passed the witness. Court asked parties to approach bench.
5:20 pm	Court excused the Jury until 9:00 am tomorrow morning.
5:20 pm	Court in recess for 10 minutes.
5:30 pm	Trial resumed. Jury not present in the courtroom.
	Court addressed the parties regarding any matters to bring before the Court. Mr. Albritton addressed the Court on admission of exhibits.
5:35 pm	There being nothing further, Court adjourned.